

United States Bankruptcy Court District of Idaho

PROOF OF CLAIM

THIS SPACE IF FOR COURT USE ONLY

Complete this form and mail to: U.S. Bankruptcy Court 550 W. Fort St. Boise, ID 83724

Name of Debtor: Cascade Builders-Developers, Inc.

Case Number: 98-00476

Chapter: 7

Trustee: Richard Crawford

Proof of claim form and all supporting documents must be filed in **DUPLICATE** on Chapter 12 and 13 cases

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to U.S.C. §503

Name of Creditor (The person or other entity to whom the debtor owes money or property):

Republic Mortgage Corp.
921 S. Orchard St., Ste. A
Boise, Id 83725

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☐ Check box if you have never received any notices from the bankruptcy court in this case.

☐ Check box if the address differs from the address on the envelope.

Account or other number by which identifies debtor:

Check here if this claim: ☐ Replaces ☒ Amends a previously filed claim dated:1. Basis for Claim ☐ Goods Sold☐ Services Performed☒ Money Loaned☐ Personal Injury/Wrongful Death☐ Taxes☐ Retiree benefits as defined in 11 U.S.C. §1114 (a) ☐ Other (please describe):☐ Wages, Salaries and compensation:

Your Social Security Number:

☐ Unpaid Compensation for services performed from

(date) to

(date)

2. Date debt was incurred: April 10, 1997

3. If court Judgment, date obtained:

4. SECURED CLAIM

☐ Check box if your claim is secured by collateral (including a right of setoff)

Brief Description of Collateral:

☐ Real Estate ☐ Motor Vehicle☐ Other

Value of Collateral \$:

Amount of arrearage and other charges at time the case was filed included in secured claim, if any:

\$

5. UNSECURED PRIORITY CLAIM

☐ Check box if you have an unsecured priority claim

Amount entitled to priority \$

SPECIFY PRIORITY OF CLAIM

☐ Wages, Salaries, or commissions (up to \$4300)* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier.

(11 U.S.C. § 507 (a)(3))

☐ Contributions to an employee benefit plan (11 U.S.C. § 507 (a)(4))

☐ Up to \$1,950* of deposits toward purchase, lease, or rental of property or services for personal, family or household use (11 U.S.C. § 507 (a)(6))

☐ Alimony, maintenance, or support owed to a spouse, former spouse or child

(11 U.S.C. § 507 (a)(7))

☐ Taxes or penalties owed to governmental units (11 U.S.C. § 507 (a)(8))

☐ Other - Specify applicable paragraph of (11 U.S.C. § 507 (a)()

*Amounts are subject to adjustment on 4/1/98 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

6. TOTAL AMOUNT OF CLAIM AT TIME CASE WAS FILED

UNSECURED \$ 40,624.23 *

SECURED \$

PRIORITY \$

TOTAL \$ 40,624.23 *

Check box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all additional charges.

7. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

8. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS.

If the documents are not available, please explain. If the documents are voluminous, attach a summary.

9. Date Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.

DATE

September 15, 1999

Sign and print the name and title, if any of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any)

Republic Mortgage Corp. by its attorney William R. Snyder

William R. Snyder, atty in law Republic Mortgage Corp.

Penalty for presenting fraudulent claim: Fine up to \$500,000 or imprisonment for up to 5 year, or both. 18 U.S.C. §152 and §3571

ATTACHMENT TO PROOF OF CLAIM 9-15-99, CASE NO 98-00476
CASCADE BUILDERS-DEVELOPERS, INC
PROOF OF CLAIM BY REPUBLIC MORTGAGE CORP.

This proof of claim amends the Proof of Claim filed by the Creditor Republic Mortgage Corp. on March 26, 1998, when the debtor was in a Chapter 11. (Supporting documents are attached to the initial proof of claim) At that time, Republic Mortgage Corp. was a secured creditor holding a deed of trust on real property that the debtor had improved with a construction loan from the creditor. The creditor first attempted to foreclose its security in the normal process, but was stopped by the filing of the Debtors bankruptcy. Republic Mortgage Corp, finally obtained an order lifting the stay during the period of the Chapter 11, and thereafter caused the foreclosure of the property secured by the deed of trust. As a result of the delays to and the finalization of that foreclosure process, Republic sustained a deficiency loss and is now an unsecured creditor for the balance of monies still owed. A deficiency suit against the debtor and its guarantor, Stuart Rudorfer, is still pending in the District Court of the Third Judicial District of the State of Idaho, Canyon County, Case No. CV 98-06503. Republic Mortgage Corp. obtained a judgment for the amount of \$40,624.23 on February 11, 1999, as against defendant Stuart Rudorfer, which judgment was later set aside. The asterisk (*) by the amount of this proof of claim represents the amount that was entered by judgment as of February 1, 1999, in the District Court for Canyon County, Idaho, and to that figure, Republic Mortgage Corp. claims additional interest, costs and attorney fees.

9-15-99

By:

Republic Mortgage Corp

*James H. Hannon, its
attorney*